

REMARKS

This Preliminary Amendment and the accompanying substitute SEQUENCE LISTING are being filed in response to the "Notice To Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures," mailed August 31, 1999 (copy enclosed), and to conform the above-referenced application to the requirements of the Rules of Patent Practice § 1.821 to § 1.825.

In the "Raw Sequence Listing Error Summary" mailed with the "Notice to Comply," the Examiner indicated that an incorrect amino acid designator, "Oxx," was used in Sequence No. 110 as filed in the SEQUENCE LISTING of August 28, 1998. Sequence No. 110 represents the complete amino acid sequence as it appears in Figure 2 of the Formal Drawings, filed with the application. Applicant's Representatives recently discovered that Figure 2, upon which Sequence No. 110 is based, contains a clerical error. The "O" at position 46 should be a "Q," representing the amino acid glutamine. Sequence No. 110, as it appears in the substitute SEQUENCE LISTING filed herewith, has been amended so that "Gln" now appears in place of "Oxx." It is respectfully submitted that Applicant's Representatives have not added new material within this substitute SEQUENCE LISTING by amending Sequence No. 110 as described above.

Applicant's Representatives recently discovered that Sequence No. 111, as it appears within the SEQUENCE LISTING filed on August 28, 1998, is missing 60 bases. Sequence No. 111 represents the complete amino acid sequence appearing in Figure 2 of the Formal Drawings, filed with the application. Sequence No. 111, as it appears in the substitute SEQUENCE LISTING filed herewith, has been amended to include all of the amino acids that appear in Figure 2. It is respectfully submitted that Applicant's Representatives have not added new material within this substitute SEQUENCE LISTING by amending Sequence No. 111 as described above.

In accordance with Rule § 1.821(e), a copy of the above-referenced SEQUENCE LISTING in computer readable form is also submitted herewith. It is further submitted that the paper copy of the SEQUENCE LISTING and the computer readable form of the SEQUENCE LISTING read the same and do not represent new matter.

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PRELIMINARY AMENDMENT

Serial Number: 09/096,749

Filing Date: June 12, 1998

Title: ARTIFICIAL ANTIBODY POLYPEPTIDES

Page 7

Dkt: 109.034US1

The Commisioner is hereby authorized to charge any additional fees to Deposit Account No. 19-0743.


When this application is taken up for the first Office Action, Applicant respectfully requests that the Examiner consider the Preliminary Amendment and remarks presented herein.

Respectfully submitted,

SHOHEI KOIDE

By his Representatives,

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Date 27 Sept 1999 By 
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231 on September 27, 1999.

Ann S. Viksnins
Name


Signature

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Application No. 89/096,749

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

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